

SENATE BILL REPORT

SB 5451

As Passed Senate, March 6, 2007

Title: An act relating to the certificate of individual achievement for students with disabilities.

Brief Description: Authorizing students who are covered by section 504 of the rehabilitation act of 1973 to obtain a certificate of individual achievement.

Sponsors: Senators Rasmussen and McAuliffe.

Brief History:

Committee Activity: Early Learning & K-12 Education: 2/01/07, 2/19/07 [DP].
Passed Senate: 3/06/07, 47-0.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Majority Report: Do pass.

Signed by Senators McAuliffe, Chair; Tom, Vice Chair; Holmquist, Ranking Minority Member; Brandland, Clements, Eide, Hewitt, Hobbs, Kauffman, Oemig, Rasmussen, Weinstein and Zarelli.

Staff: Susan Mielke (786-7422)

Background: Beginning with the graduating class of 2008, special education students who are not appropriately assessed by Washington's high school assessment system, even with accommodations, may earn a certificate of individual achievement. The certificate may be earned using multiple ways to demonstrate skills and abilities commensurate with students' individual education programs. The determination of whether the high school assessment system is appropriate is made by the student's individual education program team. The Superintendent of Public Instruction (SPI) has developed guidelines for determining which students should not be required to participate in the high school assessment system and which types of assessments are appropriate to use.

Section 504 of the federal Rehabilitation Act of 1973 protects qualified individuals with disabilities from discrimination. This includes denying individuals with disabilities from participating in public education. Individuals that qualify for Section 504 protection include any person with a physical or mental impairment that substantially limits one or more major life activities. Some students qualify for protection under Section 504, but do not qualify for protection under the Individuals with Disabilities Education Act, the federal law governing special education.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Bill: Students covered by Section 504 of the federal Rehabilitation Act of 1973 will be entitled to earn a certificate of individual achievement if they are not appropriately assessed by Washington's high school assessment system. The guidelines developed by SPI will allow Section 504 students to participate in the alternative assessment options leading to a certificate of individual achievement if the student has taken the Washington Assessment of Student Learning (WASL) at least once.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: This gives students the right to have accommodations needed to access basic education and levels the playing field. Some would like to see Washington Assessment of Student Learning requirement removed from bill.

Persons Testifying: PRO: Christie Perkins, Washington State Special Education Coalition.